UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

Civil Action No. 3:24-cv-00960-GCM

ANGELIA NIKOLE JAMES,	
Plaintiff,)) DEFENDANT'S MOTION TO DISMISS
V.)
THE CITY OF MONROE, a North Carolina municipal corporation,) FED. R. CIV. PRO. 12(B)(6)
Defendant.	,)

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and Local Civil Rule 7.1, Defendant City of Monroe by and through counsel, hereby respectfully moves the Court for an Order dismissing, with prejudice, all claims asserted against Defendant in the Plaintiff's Complaint (Doc. 1) in this matter.

Dismissal is appropriate pursuant to Federal Rule of Civil Procedure 12(b)(6) because Plaintiff's Complaint fails to state a claim upon which relief may be granted. In support of this Motion, Defendant relies upon the pleadings of record in this action and the Memorandum of Law in Support of Defendant's Motion to Dismiss submitted contemporaneously herewith.

WHEREFORE, Defendant hereby requests that the Court issue an Order dismissing the Plaintiff's Complaint in its entirety and with prejudice.

Respectfully submitted, this the 14th day of January 2025.

CRANFILL SUMNER LLP

BY: <u>/s/ Stephanie H. Webster</u>
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CERTIFICATE OF SERVICE

I hereby certify that on January 14, 2025 I electronically filed the foregoing **DEFENDANT'S MOTION TO DISMISS** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

CRANFILL SUMNER LLP

BY: /s/ Stephanie H. Webster

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